

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

PEIERLS FOUNDATION INC. and  
E. JEFFREY PEIERLS, individually  
and as trustee

Plaintiffs,

v.

JAMES E. RURKA, MARK SKALETISKY,  
PAUL J. MELLETT, RICHARD ALDRICH,  
KATE BINGHAM,  
CHARLES W. NEWHALL III,  
DAVID SCHNELL, and JOHN P. WALKER

Defendants.

Civil Action No. 03-12213 EFH

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DECLARATION OF PETER G. KOCLANES

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1. I submit this Declaration in support of my application for an order permitting me to appear in this action as counsel *Pro Hac Vice* for Plaintiffs.

2. Each of the facts stated herein are based on my personal knowledge and, if called and sworn as a witness, I could and would competently testify hereto.

3. I am a member of the law firm Netzorg McKeever Koclanes & Bernhardt LLC, located at 1670 Broadway, Suite 500, Denver, CO 80202.

4. I was admitted to practice law in Colorado in 1987, and in New York in 1990 and before the following courts on the following dates: United States Court of Appeals for the Federal Circuit, 1989; United States District Court for the Southern District of New York, 1991; United States District Court for the Eastern District of New York, 1991; United States District

Court, District of Colorado, 1996; United States Court of Appeals for the Second Circuit, 1996; and, United States District Court for the Tenth Circuit, 1996.

5. I am member in good standing with the State Bar of Colorado and in all of the above-referenced courts in which I admitted to practice. I have not been suspended or disbarred in any court or jurisdiction.

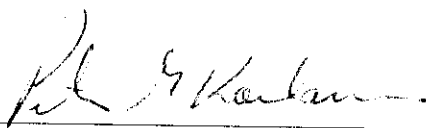
6. I have never previously applied for admission to appear *Pro Hac Vice* in the State of Massachusetts.

7. I am not a resident of the State of Massachusetts nor am I regularly employed or engaged in substantial business, professional or other activities in the State of Massachusetts.

8. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

I declare under penalty of perjury under the laws of the State of Massachusetts that the foregoing is true and correct.

Executed this 29<sup>th</sup> day of October, 2004, at Denver, Colorado.

  
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Peter G. Koclanes